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Date _____
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Clerk _____
Comm. Amdt. _____

Amendment No. 1 to SB0518

Person, Curtis
Signature of Sponsor

AMEND Senate Bill No. 518*

House Bill No. 1119

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 2, Part 3, is amended by adding the following as a new, appropriately designated section:

36-2-3__.

(a) Notwithstanding any provision of law or rule to the contrary, a father, as defined by this chapter, shall not be liable for child support until such time as he:

- (1) Knew or should have known that he is the father of such child; or
- (2) Has received actual notice that he is the putative father by service of legal process.

(b) As used in subsection (a), "actual notice" means service of notice or legal process that the mother or guardian of the child or the state has filed a petition for paternity and that he has been named as the father.

(c) If the mother of a child is not entitled to child support pursuant to subsection (a) because of a delay in the filing of an action for paternity, the court shall be permitted to order retroactive support in such case upon the mother's proof, by clear and convincing evidence, that the delay in filing the paternity action was the result of her being raped, physically intimidated, or emotionally intimidated.

(d) The provisions of this section shall not apply to Title IV-D support cases.

SECTION 2. This act shall take effect upon becoming a law, and shall apply to all cases pending on or arising after the effective date of this act, the public welfare requiring it.